

No. 11(112)-3Lab-78/6650.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Ashok Kumar, son of Hari Ram Milk Dairy, Prem Nagar, care of Adarsh Rice Mills, Hansi Road, Karnal.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No 138 of 1977

between

SHRI CHANDER BAHADUR WORKMAN C/O SHRI HARBANS LAL, GENERAL SECRETARY, THE KARNAL GENERAL TRANSPORT WORKERS UNION, OFFICE NO. 226-C, MOHALLA GHOSIAN, KARNAL AND THE MANAGEMENT OF M/S. ASHOK KUMAR, SON OF HARI RAM MILK DAIRY, PREM NAGAR, C/O ADARSH RICE MILLS, HANSI ROAD, KARNAL

Shri Chander Bahadur, workman in person.

Nemo for the management.

AWARD

By order No. ID/KNL/403-77/47055, dated 31st October, 1977, the Governor of Haryana, referred the following dispute between the management of M/s. Ashok Kumar, son of Hari Ram, Milk Dairy, Prem Nagar C/o Adarsh Rice Mills, Hansi Road, Karnal and its workman Shri Chander Bahadur, to this court for adjudication; in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of service of Shri Chander Bahadur was justified and in order? If not, to what relief is he entitled?

The workman concerned made a statement before me on 27th June, 1978, that he had been reinstated by the management concerned and that he as such did not now propose to proceed with the demand leading to the reference.

It would thus appear that the demand raised by the workman on the management concerned stands fully satisfied and there is now no dispute between the parties requiring adjudication. I hold accordingly and answer the reference while returning the award in these terms.

MOHAN LAL JAIN,

Dated the 27th June, 1978.

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1725, dated the 1st July, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/6654.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Haryana Agro Industries Corporation Ltd., Chandigarh.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 59 of 1978

between

SHRI JAI SINGH, WORKMAN C/O SHRI TEK CHAND GUPTA, GENERAL
SECRETARY, HARYANA AGRO FARM EMPLOYEES UNION, INSIDE
NAGORI GATE, HISSAR, AND THE MANAGEMENT OF M/S HARYANA
AGRO INDUSTRIES CORPORATION LTD., CHANDIGARH

Present:

Shri Tek Chand Gupta for the workman.

Shri Rajinder Pal Aggarwal, for the management.

AWARD

By order No. ID/HSR/618-77/16898, dated 3rd May, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Haryana Agro Industries Corporation Ltd. Chandigarh and its workman Shri Jai Singh to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :-

Whether the termination of service of Shri Jai Singh was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this court in response to the usual notices of reference sent to them.

Shri Tek Chand Gupta while accepting the statement of Shri Rajinder Pal Aggarwal authorised representative of the management, that the workman concerned had been taken on duty with effect from 17th October, 1977 in pursuance of an agreement dated 5th July, 1977 made by the parties; copy Ex. M-1 stated that the demand of the workman raised by him on the management leading to the reference had been satisfied. I am thus convinced while relying on the copy of the settlement Ex. M-1 and the statement of Shri Rajinder Pal and Shri Tek Chand Gupta, that the demand raised by the workman concerned on the management leading to the reference has been satisfied and there is now no dispute between the parties requiring adjudication. I, hold accordingly and answer the reference while returning the award in these terms.

Dated the 27th June, 1978.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1726, dated the 1st July, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/6701.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Desh Foundry Timber Market Ambala, Cantt.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 156 of 1977

between

SHRI JAI KISHAN, SON OF JAWALA PARSHAD MALLIOW KA MOHALLA
TOP KHANNA PRADE, AMBALA CANTT, AND THE MANAGEMENT OF
M/S DESH FOUNDRY TIMBER MARKET, AMBALA CANTT.

Present:

Shri Surinder Kumar, for the workman.
Nemo, for the management.

AWARD

By order No. ID/AMB/405-77/50355, dated 7th December, 1977, the Governor of Haryana, referred the following dispute between the management of M/s Desh Foundry, Timber Market, Ambala Cantt. and its workman Shri Jai Kishan to this Court, for adjudication, in exercise of the powers conferred by clause (c), of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Jai Kishan was justified and in order ?
If not, to what relief is he entitled ?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following issues framed by me,—*vide* order, dated 28th March, 1978 with a direction to the management to adduce their evidence on 23rd May, 1978 :—

1. Whether the workman concerned abandoned his job voluntarily on 6th January, 1977 on the refusal of the management to give him an advance of Rs 2,000 ?
2. If not, whether the termination of services of Shri Jai Kishan was justified and in order ?
If not, to what relief is he entitled ?

The case was adjourned to 27th June, 1978,—*vide* my order, dated 23rd May, 1978 on a request made by the management to grant of time to adduce their evidence. The case was further adjourned to 29th June, 1978,—*vide* order dated 27th June, 1978 on a request made by the parties for arriving at a settlement.

It would, however, be interesting to note that whereas Shri Surinder Kumar authorised representative of the workman put in his appearance on his behalf in this court on 29th June, 1978 the adjourned date of the hearing, neither the management nor their authorised representative appeared on that date despite being directed to be present,—*vide* order dated 27th June, 1978 with the result that *ex parte* proceedings were taken up against them.

It would thus appear that the burden of the issues stated above, so heavily placed on the management remained undischarged and the same have under the circumstances to be decided against them. I, thus decide both the issues against the management and hold that the termination of services of the workman concerned by the management is unjustified and he is entitled to be reinstated with continuity of service and full back wages.

I hold accordingly and answer the reference while returning the award in these terms.

Dated the 29th June, 1978.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1746, dated 4th July, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/6736.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Dhanda Engineers, Private Ltd., Industrial Area, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD.

Complaint No. 3 of 1977 under section 33-A of the Industrial Disputes Act, 1947

between

SHRI RAJ KUMAR, WORKMAN AND THE MANAGEMENT OF M/s DHANDA
ENGINEERS, PRIVATE LTD., INDUSTRIAL AREA, FARIDABAD.

Present :—

Shri Sagar Ram Gupta, for the workman.

Shri R. C. Sharma, for the management.

AWARD

The complainant moved this application under section 33-A alleging that the respondent was guilty of contravention of section 33 of the Industrial Disputes Act. Notice of the application was sent to the respondent. Both parties appeared on the pleadings of the parties, the following issues were framed on 24th June, 1978.

- (1) Whether the management has contravened the provisions of section 33 of I. D. Act ? If so, to what effect ?
- (2) Whether the termination of services of the workman by the management is justified and in order?
- (3) If issue No. 2 is not proved in favour of the management, to what relief the workman is entitled ?

The case was sent for the evidence of the complainant. It was at this stage that the representative for the respondent pleaded a settlement. The representative for the complainant wanted to verify the factum of settlement from the workman. He admitted the settlement Exhibit M-1, according to which the complainant received a sum of Rs. 5,536.85 from the management in full and final settlement of his dispute and account. I have gone through the settlement. It is just and fair. I, therefore, give my award in terms of the settlement that the workman had received a sum of Rs. 5,536.85 from the management in full and final settlement of all his account and dispute. He agreed to withdraw his complaint. Withdrawal is permitted. The complaint of the complainant is dismissed as having been withdrawn. No orders as to cost.

NATHU RAM SHARMA,

Dated the 3rd July, 1978.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 640, dated the 5th July, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Dated the 5th July, 1978,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

G. V. GUPTA, Secy.